IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTEENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 22890 of 2000

Between:

B.Kesavulu, S/o Munuswamy Setty,

Age about 34Yrs., Working as Helper at

Training cum Production Center,

Andhra Pradesh Vikalangula Cooperative

Corporation, Guntur.

..... PETITIONER

AND

1. The Andhra Pradesh Vikalangula Cooperative

   Corporation rep., by its Managing Director,

   Ground Floor, BRKR Buildings,

   Near Tank Bund, Hyderabad.

2. The Government of Andhra Pradesh

   Rep., by its Secretary to Government, Women's

Development and Child Welfare (WHD)

   Department, Secretariat, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ order or direction more particularly in the nature of writ of Mandamus declaring the action of the 2nd respondent in not regularizing the services of the petitioner in the Cadre of Helper(Technical) and not fixing the scale of pay as Rs.1010-1800/- on par with other Helpers(Technical), as arbitrary, illegal,

in violation of Article 14 and 21 of the Constitution of India and to issue a consequential direction to the respondents regularize the services of the petitioner in the Cadre of Helper(Technical) and fix the scale of pay as Rs.1010-1800/- with effect from the date of appointment and pay the arrears of salary with all consequential benefits forthwith and to pass such other order or orders which are deemed fit and proper in the circumstances of the case.

Counsel for the Petitioner: Subbarao Korrapati

Counsel for the Respondent No.1 : Mr. K.Ramanuja Chari.

Counsel for the Respondent No.2: GP for Women Development and Child Welfare.

The Court made the following :

ORDER:

Both the counsel submit that in similar circumstances this Court disposed of writ petition No. 20152 of 2000 on 30.11.2000, as follows:

> " In my considered opinion, the writ petition is barred by delay and laches. In all financial matters, if a Mandamus is issued from this Court, that would result in a lot of financial indiscipline in a fully owned Government undertaking and the Court cannot be a party to such event. It is, however, open to the petitioner to approach the 2nd and 3d respondents seeking necessary relief even now. As and when such representation is made, the respondents 2 and 3 shall consider the same in accordance with law.
>
> In the result, subject to the above observations, the writ petition is dismissed. No costs."

Learned counsel for the respondents pleads that the similar order may be passed in this writ petition also.

Learned counsel for the petitioner does not dispute the position seriously.

Following the said order, dated 30.11.2000, the writ petition is dismissed. No order as to costs.

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14-10-2004

klp

To

1. The Andhra Pradesh Vikalangula Cooperative
   Corporation rep., by its Managing Director,
   Ground Floor, BRKR Buildings,
   Near Tank Bund, Hyderabad.
2. The Government of Andhra Pradesh
   Rep., by its Secretary to Government, Women's
   Development and Child Welfare (WHD)
   Department, Secretariat, Hyderabad.

3. Two CCs to G.P. for Women Development and Child Welfare, High Court buildings, Hyderabad.(OUT).

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